

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 91056

Loch Raven Village Apartments LLC
7850 Walker Drive, Suite 400
Greenbelt MD 20770

1700 Glen Keith Boulevard
Apartment B

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on May 25, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC). The Respondent was charged with violating BCC § 35-5-209 (A)(c)(1) and 35-2-404 (A)(1)(ii): failure to repair peeling and flaking paint and failure to make all necessary repairs to remove wetness from rear apartment wall on residential property zoned DR 16 located at 1700 Glen Keith Boulevard, Apartment B, 21234.

On May 9, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeffrey Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,500.00 (three thousand five hundred dollars).

The following persons appeared for the Hearing and testified: The tenant living in the apartment, Laurie Jackson, Property Manager for Loch Raven Village Apartments, represented by Ava Brown, Esquire and Jeffrey Radcliffe, Baltimore County Code Enforcement Officer.

Inspector Radcliffe presented Baltimore County's case, and testified that the apartment unit had peeling and cracked paint, and a damp interior wall. The tenant submitted photos of the cracked interior wall, although it was conceded that the photos showing mold conditions were taken over a year ago and don't reflect current conditions on the property. The apartment manager, Laurie Jackson, indicated that she has hired contractors to fix the problem and she advised that she would soon

arrange (at a mutually convenient time) for the contractor to examine the interior of the premises to determine the source of the damp conditions.

THEREFORE:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$3,500.00 (three thousand five hundred dollars).

IT IS FURTHER ORDERED that \$3,000.00 of the \$3,500.00 civil penalty be suspended, with an immediate \$500.00 fine imposed at this time. If not paid within 30 days of billing, the \$500.00 penalty shall be placed as a lien upon the premises.

IT IS FURTHER ORDERED that the suspended \$3,000.00 civil penalty be automatically imposed without the need for further Hearing or Order if the property is not brought into compliance by June 25, 2011.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 31st day of May 2011

Signed: ORIGINAL SIGNED
John E. Beverungen
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.